

Exhibit 64

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, et al., *
*
Plaintiffs, *
*
v. * CASE NO. 1:18-CV-68
*
UNITED STATES OF AMERICA, *
et al., *
*
Defendants, *
*
and *
*
KARLA PEREZ, MARIA ROCHA, *
JOSE MAGANA-SALGADO, NANCY *
J. PALACIOS GODINEZ, ELLY *
MARISOL ESTRADA, KARINA *
RUIZ DE DIAZ, CARLOS *
AGUILAR GONZALEZ, KARLA *
LOPEZ, LUIS A. RAFAEL, *
DARWIN VELASQUEZ, JIN *
PARK, OSCAR ALVAREZ, NANCY *
ADOSSI, DENISE ROMERO, *
PRATISHTHA KHANNA, JUNG *
WOO KIM, ANGEL SILVA, *
MOSES KAMAU CHEGE, HYO-WON *
JEON, ELIZABETH DIAZ, *
MARIA DIAZ, and BLANCA *
GONZALEZ, *
*
Defendant- *
Intervenors. *

ORAL DEPOSITION OF

ART ACEVEDO

Wednesday, June 20, 2018

Reported by Debbie D. Cunningham, CSR

Art Acevedo - 6/20/2018

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1 ORAL DEPOSITION OF ART ACEVEDO, produced as a
2 witness at the instance of the Plaintiffs, and duly
3 sworn, was taken in the above-styled and numbered cause
4 on Wednesday, June 20, 2018, from 1:13 p.m. to
5 3:51 p.m., before Debbie D. Cunningham, CSR, in and for
6 the State of Texas, reported via Machine Shorthand at
7 the Houston Police Department, 1200 Travis Street,
8 Houston, Texas 77002, pursuant to the Federal Rules of
9 Civil Procedure.

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Art Acevedo - 6/20/2018

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1 APPEARANCES
2

3 FOR THE STATE OF TEXAS:

4 OFFICE OF THE ATTORNEY GENERAL OF TEXAS
5 Special Counsel Unit
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1 FOR THE HOUSTON POLICE DEPARTMENT:

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3 Legal Services Unit
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5 By: Ann Spiegel, Esq.
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ALSO PRESENT:

Mr. Charles Hoff
Ms. Alejandra Avila (VIA SPEAKERPHONE)
Ms. Chelsea Rangel (VIA SPEAKERPHONE)

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1 A. No.

2 Q. Is there any policy at HPD that requires
3 witnesses to have their immigration statuses reported to
4 Federal officials outside of the context of applying for
5 specialized visas?

6 A. No, I believe that would be a violation of
7 state law.

8 Q. In these relational policing events and
9 community policing events, these community engagement
10 events, does HPD tell the community that witnesses will
11 not have their immigration status reported to the
12 Federal Government?

13 A. Yes.

14 Q. And how is that message conveyed?

15 A. Well, I mean, I've talked about SB 4 itself,
16 that actually prohibits asking the question. You know,
17 if we don't ask the question, there's nothing to report,
18 right, of witnesses or victims. We actually help
19 educate the community on the laws that relate to SB 4.

20 Q. And why do you educate them on that portion of
21 SB 4?

22 A. To try to overcome the perception that not
23 just SB 4 but this litigation that we're here about or
24 the political -- the mean spiritedness of the political
25 debate in this country has just created a lot of fear in

1 status. HPD officers do not investigate immigration
2 statuses of individuals that are witnesses to crimes,
3 does it?

4 A. Generally speaking, no.

5 Q. Do HPD officers, when encountering a victim,
6 ask about the immigration statuses of family members of
7 the witness?

8 A. Generally speaking, no.

9 Q. So would an undocumented immigrant's fear that
10 an interaction would lead to that type of investigation
11 be unfounded based on HPD practices?

12 MR. HERRERA: Objection, vague.

13 A. I would say generally speaking, yes; but,
14 again, perception is like the elephant that, you know,
15 you can hit over the head a hundred times; and it's
16 really hard to overcome.

17 Q. (BY MR. BIGGS) And overcoming that
18 perception, that's the goal of all the efforts you've
19 taken to get into the community and build trust,
20 correct?

21 A. Yes.

22 Q. Let's go down to 13 -- let's do 13 and 14
23 together. If you could, read those and let me know.

24 A. Okay.

25 Q. Paragraph 13 talk about an April 2017

1 A. I mean, what is this?

2 Q. Sure. I'll represent to you this is an amicus
3 brief submitted to the Ninth Circuit Court of Appeals in
4 a previous DACA case where you were an individual
5 signing onto the brief. You'll find it at page 29 of
6 34, List of Amici. At the very top is the...

7 A. What page?

8 Q. Page 29.

9 A. Okay.

10 Q. Do you see your name?

11 A. Yes.

12 Q. Did you review this brief before it was filed?

13 A. Yes.

14 Q. Did you agree with the statements made in this
15 brief?

16 A. Yes.

17 MR. HERRERA: Objection, vague.

18 Q (BY MR. BIGGS) All right. Will you please
19 turn to page 10, the second paragraph? And this
20 discusses U visa applications. The last sentence,
21 "Indeed, more than 99 percent stated that they were
22 willing to cooperate with police, and 70 percent were in
23 fact asked to and did provide assistance related to
24 crimes committed against them." Did I generally read
25 that correctly?

Art Acevedo - 6/20/2018

100

1 A. Yes. Was this from the U visa?

2 Q. Yes, sir.

3 A. Yes.

4 Q. And that statement references people who had
5 applied for and received U visas, correct?

6 A. Right.

7 MR. HERRERA: Take your time and look at
8 it if you need to.

9 THE WITNESS: Yeah.

10 MR. BIGGS: Sure, go ahead.

11 THE WITNESS: Are you waiting for me?

12 MR. BIGGS: Yes, I was waiting for you.

13 THE WITNESS: Oh, no. Go ahead.

14 Q. (BY MR. BIGGS) Okay. Would you agree with me
15 that U visas, especially when there's 99 percent of
16 people willing to cooperate with police, are a tool that
17 helps with the lack-of-trust issues you have stated
18 today?

19 MR. HERRERA: Objection, vague.

20 You can answer it.

21 A. Yes.

22 Q. (BY MR. BIGGS) Okay. And U visas are still
23 going to be available for victims of crime even if DACA
24 is rescinded, correct?

25 MR. HERRERA: Objection, vague.

111

1 STATE OF TEXAS)

2 REPORTER'S CERTIFICATION

3 I, DEBBIE D. CUNNINGHAM, CSR, hereby
4 certify that the witness was duly sworn and that this
5 transcript is a true record of the testimony given by
6 the witness.

7 I further certify that I am neither
8 counsel for, related to, nor employed by any of the
9 parties or attorneys in the action in which this
10 proceeding was taken. Further, I am not a relative or
11 employee of any attorney of record in this cause, nor am
12 I financially or otherwise interested in the outcome of
13 the action.

14 Subscribed and sworn to by me this day,
15 June 22, 2018.

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19 Debbie D. Cunningham, CSR

20 CSR 2065

21 Expiration: 12/31/18

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